

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

U.S. COMMODITY FUTURES TRADING)
COMMISSION,)
Plaintiff,)
v.) CASE NO. 3:09cv106 (GCM)
BARKI, LLC, a North Carolina limited)
liability company;)
BRUCE C. KRAMER, an individual,)
Defendants, and)
RHONDA A. KRAMER, an individual, and)
FOREST GLEN FARM, LLC, a North)
Carolina limited liability company,)
Relief Defendants.)

**ORDER PARTIALLY GRANTING STATE COURT PLAINTIFFS'
ORAL REQUEST TO LIFT THE COURT'S STATUTORY RESTRAINING ORDER
FOR THE SOLE PURPOSE OF ENTERING AND ADOPTING THIS COURT'S SRO**

This matter came on hearing before the Court on March 20, 2009 on the oral request by Plaintiffs' counsel in *Manzella, et al. v. Kramer, et al.*, pending in The General Court of Justice, Superior Court Division, Mecklenburg County, North Carolina (filed March 9, 2009 09-CVS5546) (the "State Court Case") to stay or modify the Statutory Restraining Order (the "Court's SRO") entered by this Court on March 17, 2009 for the purpose of proceeding with the preliminary injunction hearing or any other proceeding in the State Court Case (the "Request to Lift the SRO").

The Court, having considered the oral request hereby partially **GRANTS**, the State Court Plaintiffs' request for the limited purpose of permitting the Superior Court of Mecklenburg County enter an order in the State Court Case specifically adopting this Court's SRO. All other

matters shall remain subject to this Court's SRO and any modification thereof, and no party to the State Court Case may proceed with any other discovery, action of enforcement or any other activity relating to this matter or the State Court Case without specific authorization from this Court.

IT IS SO ORDERED.

Signed: March 20, 2009



Graham C. Mullen
United States District Judge

